

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael BUSCHLE *et al.*

Serial No.: 10/564,429

Filed: April 24, 2006

For: HCV VACCINES

Group Art Unit: 1648

Examiner: Lucas, Zachariah

Atty. Dkt. No.: SONN:084US

Confirmation No.: 7323

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web on the date below:

October 30, 2007
Date

Travis M. Wohlers

SECOND REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

A corrected filing receipt is requested in view of the error that appears in the original. For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt on which the error has been noted.

There is an error in the city of residence of Christoph Klade. Please replace "Neustadt, AUSTRIA" with --**Wiener Neustadt, AUSTRIA**--. In support of this requested correction, Applicants attach a copy of the inventors' Declaration filed April 24, 2006.

No fee is believed to be due in connection with the filing of this document. However, should any fee under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to

this document, the Commissioner is authorized to deduct the appropriate fee from Fulbright & Jaworski Deposit Account No.: 50-1212/SONN:084US.

Respectfully submitted,



Travis M. Wohlers
Reg. No. 57,423
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: October 30, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: 1500 Pennsylvania Avenue, N.W.
FO Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE RECD	ATTY DOCKET NO
10/564,429	04/24/2006	1648	2830	SONN:084US

CONFIRMATION NO. 7323

32425
FULBRIGHT & JAWORSKI L.L.P.
600 CONGRESS AVE.
SUITE 2400
AUSTIN, TX78701

CORRECTED FILING RECEIPT

Date Mailed: 07/19/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Michael Buschle, Edinburgh, UNITED KINGDOM;
Jürgen Frisch, Marburg, GERMANY;
Christoph Klade, Neustadt, AUSTRIA; Wien Neustadt, AUSTRIA
Karen Lingnau, Vienna, AUSTRIA;
Wolfgang Zauner, Vienna, AUSTRIA;
Gerd Zettmeissl, Vienna, AUSTRIA;

Assignment For Published Patent Application

Intercell AG, Vienna, AUSTRIA

Power of Attorney: The patent practitioners associated with Customer Number 32425

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/07540 07/09/2004

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03450171.8 07/11/2003
EUROPEAN PATENT OFFICE (EPO) 04450062.7 03/12/2004

If Required, Foreign Filing License Granted: 10/27/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is
US10/564,429

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Hcv vaccines

Preliminary Class

424

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier

license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "HCV VACCINES" the Specification of which:

is attached hereto.
was filed on July 9th, 2004, as Application Serial No. **PCT/EP2004/007540**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

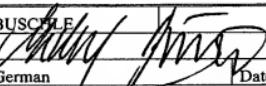
PRIORITY APPLICATION(S)			Priority Claimed
03450171.8 (Number)	EP (Country)	July 11, 2003 (Date Filed)	YES Yes/No
04450062.7 (Number)	EP (Country)	March 12, 2004 (Date Filed)	YES Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below or any PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

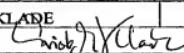
(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to Mark B. Wilson, Fulbright & Jaworski L.L.P., 600 Congress Avenue, Suite 2400, Austin, Texas, 78701, (512) 536-3035.

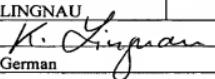
I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

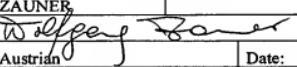
Inventor's Full Name:	BUSCHLE	Michael
Inventor's Signature:		
Country of Citizenship:	German	Date: 09-jun-2006
Residence Address: (street, number, city, state, and/or country)	48 Gamekeeper's Road, Edinburgh, EH4 6LS, United Kingdom	
Post Office Address: (if different from above)		

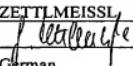
Inventor's Full Name:	FRISCH	Jürgen
Inventor's Signature:		
Country of Citizenship:	German	Date: 16-feb-2006
Residence Address: (street, number, city, state, and/or country)	Johannes-Acker-Strasse 15, D-35041 Marburg, Germany	
Post Office Address: (if different from above)		

Inventor's Full Name:	KLADÉ	Christoph
Inventor's Signature:		
Country of Citizenship:	Austrian	Date: 03-Jan-2006
Residence Address: (street, number, city, state, and/or country)	Gröhrmühlgasse 1B/17, A-2700 Wiener Neustadt, Austria	

Post Office Address: (if different from above)		
---	--	--

Inventor's Full Name:	LINGNAU	Karen
Inventor's Signature:		
Country of Citizenship:	German	Date: 03 - Jan - 2005
Residence Address: (street, number, city, state, and/or country)	Gallgasse 8/10, A-1130 Vienna, Austria	
Post Office Address: (if different from above)		

Inventor's Full Name:	ZAUNER	Wolfgang
Inventor's Signature:		
Country of Citizenship:	Austrian	Date: 03 - JAN - 2006
Residence Address: (street, number, city, state, and/or country)	Parkgasse 13/3/22, A-1030 Vienna, Austria	
Post Office Address: (if different from above)		

Inventor's Full Name:	ZEITLMEISSL	Gerd
Inventor's Signature:		
Country of Citizenship:	German	Date: 05.01.2006
Residence Address: (street, number, city, state, and/or country)	Schottenfeldgasse 71/20, A-1070 Vienna, Austria	
Post Office Address: (if different from above)		